

## **STAFF REPORT**

Meeting Date: January 15, 2003

### **LAFCO CASE**

**NAME AND NO:** LAFCO 02-23 – City of Oxnard Reorganization – Old El Rio

**PURPOSE:** Reorganization of the City of Oxnard to annex 66 parcels and portions of Colonia Avenue, Olive Street, and Sycamore Street into the City of Oxnard, and detach the same area from the Ventura County Fire Protection District and the Ventura County Resource Conservation District pursuant to Government Code Sections 56375.3 and 56755 (Island Annexations).

**PROPONENT:** City of Oxnard by Resolution.

**SIZE:** Approximately 23.52 acres

**LOCATION:** The area is located west of Vineyard Avenue between Myrtle and Stroube Streets. The proposal area is located within the City of Oxnard's Sphere of Influence and Area of Interest.

### **ASSESSOR'S**

**PARCEL NO.S:** 132-0-041-010, -020, -040, -060, -080, -100, -110, -120, -130, -140, -150, -160, -170; 132-0-042-020, -060, -070, -080, -100, -110, -120, -210, -220; 132-0-043-010, -040, -050, -060, -070, -080, -090, -100, -110, -120; 132-0-044-010, -040, -050, -060, -070, -080, -090, -100, -110, -120, -130, -150; 132-0-051-020, -030, -040, -050, -060, -070, -080, -090, -110, -140; 132-0-052-010, -050, -060, -070, -080, -090, -100, -110, -120, -130, -140, -150.

**NOTICE:** This matter has been noticed as prescribed by law.

### **RECOMMENDATIONS:**

Adopt the attached resolution (LAFCO 02-23) making determinations and approving City of Oxnard Reorganization – Old El Rio and accept the Mitigated Negative Declaration prepared by the City of Oxnard.

### **COMMISSIONERS AND STAFF**

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<b>COUNTY</b> Steve Bennett, Chair Kathy Long <i>Alternate:</i> Judy Mikels	<b>CITY</b> <i>Vacant</i> John Zaragoza <i>Alternate:</i> Evaristo Barajas	<b>SPECIAL DISTRICT</b> Jack Curtis <i>Vacant</i> <i>Alternate:</i> Dick Richardson	<b>PUBLIC</b> Louis Cunningham, Vice Chair <i>Alternate:</i> Kenneth M. Hess
<b>EXECUTIVE OFFICER</b> Everett Millais	<b>PLANNER III</b> Hollie Brunsky	<b>CLERK</b> Debbie Schubert	<b>LEGAL COUNSEL</b> Noel Klebaum

## **GENERAL ANALYSIS:**

### **1 Land Use:**

#### **A. Site Information:**

	<b>Land Use</b>	<b>Zone District Classification</b>	<b>General Plan Designation</b>
<b>Existing</b>	Approximately 77 dwelling units, some commercial uses, and the Rio School District maintenance yard.	<b>County:</b> U-R 4-6 (Urban Residential)	<b>County:</b> Existing Community/Urban Reserve <b>City:</b> Regional Commercial
<b>Proposed</b>	No Change	<b>City:</b> R-1, C-2	<b>City:</b> Low Density Residential, General Commercial

#### **B. Surrounding Land Uses and Zoning and General Plan Designations**

	<b>Land Use</b>	<b>Zone District Classification</b>	<b>General Plan Designation</b>
<b>North</b>	Industrial, agricultural, and aggregate mining	<b>City:</b> R-1, R-3-PD, C-2-PD	<b>City:</b> Residential Low Density, Res. Medium Density, Neighborhood Commercial
<b>South</b>	Commercial, Agriculture	<b>City:</b> R-1, C-2-PD	<b>City:</b> Regional Commercial
<b>East</b>	Commercial, Residential	<b>City:</b> R-1, C-2-PD <b>County:</b> U-R 1-2, C-P-D	<b>City:</b> General Commercial, Residential <b>County:</b> Community Reserve/Urban Overlay
<b>West</b>	Agriculture	<b>City:</b> River Park Specific Plan	<b>City:</b> Regional Commercial, General Commercial

#### **C. Topography, Natural Features and Drainage:**

The site is part of the Oxnard Plain and is relatively flat with no significant features. Drainage from the area is via the City of Oxnard's storm drain system.

*D. Conformity with Plans:*

The proposal area is in the unincorporated area of the County of Ventura and within the City of Oxnard's Sphere of Influence. The site is within the SOAR and CURB boundaries for the City of Oxnard. The proposal area is considered an island of unincorporated territory. Under LAFCO policies the City's General Plan takes precedence.

The City has determined that the existing uses in the proposal area are consistent with the City's General Plan designations of Low Density Residential and General Commercial.

**2. Impact on Prime Agricultural Land, Open Space and Agriculture:**

The proposal area is not being used for agriculture and is not considered to be prime agricultural land as defined in Government Code Section 56064.

The site is not under a Williamson Land Conservation Act contract.

There were no comments from the County of Ventura Office of the Agricultural Commissioner.

The proposal area is surrounded by existing or approved urbanized development and the boundaries of the City of Oxnard. The proposal area is considered to be part of an "unincorporated island of territory" surrounded by the City of Oxnard.

**3. Population:**

There are 77 dwelling units in the proposal area. The proposal area is considered to be inhabited.

**4. Services and Controls – Need, Cost, Adequacy and Availability:**

*City Services*

The City is already serving the area with water and sewage disposal. All of the parcels are connected to the City's water system and the entire area is within the boundaries of the Calleguas Municipal Water District. Only about half the residents receive sanitary sewer service from the City as there are some parcels that are still using septic systems. By 2008, all residents will be required to be on a sanitary sewer system by a mandate from the Regional Water Quality Control Board.

Upon reorganization of the area, the City has represented that along with the water and sewage disposal currently provided, the full range of City services, such as law enforcement, fire protection, and recreation and parks, will also be provided.

#### *Schools*

The proposal area is within the Oxnard Union High School District and the Rio School District. As no new residential uses will result from this proposal, there is no new additional enrollment anticipated from the proposed reorganization.

### **5. Boundaries and Lines of Assessment:**

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

A map sufficient for filing with the State Board of Equalization has been received from the proponent.

### **6. Assessed Value, Tax Rates and Indebtedness:**

The proposal is presently within tax rate areas 77037 (\$1.106923) and 77042 (\$1.106923). Upon completion of this reorganization the area will be assigned to two new tax rate areas.

The total assessed land value for the proposal area per the 2002-2003 tax roll is \$3,095,945.

### **7. Environmental Impact of the Proposal:**

The City of Oxnard is the lead agency for this proposal. The City prepared and certified a Mitigated Negative Declaration (MND) (#02-03) pursuant to Section 15070 of the State CEQA Guidelines. The MND proposes mitigation measures in the following areas to lessen any environmental impacts so that they can be considered less than significant:

- *Geology and Soils* – Potential for seismic ground shaking
- *Land Use and Planning* – Need for General Plan Amendment and Zone Change
- *Public Services* – Potential impact to public services

The MND was made available for review at the Ventura LAFCO office and will be made available at the LAFCO meeting for review.

## **8. Regional Housing Needs**

The City of Oxnard's Housing Element was approved by the State of California's Housing and Community Development Department on May 10, 2001. There is no new construction of residential units proposed as part of this reorganization.

## **9. Landowner and Annexing Agency Consent:**

In 1991, the City began servicing the Old El Rio area with water and sanitary sewer services. At that time, the property owners signed and recorded agreements, also applicable to future owners, that stated the property owners would not oppose an annexation to the City of Oxnard at such time requested by the City. Although the City has most of the agreements on file, there are a few agreements that have not been located. Therefore, there is not full consent for the proposal.

The Ventura County Resource Conservation District and the Ventura County Fire Protection District have given their consent and have agreed to waive conducting authority proceedings.

## **SPECIAL ANALYSIS**

### *Island of Unincorporated Territory*

The proposal area is part of an "Island of Unincorporated Territory" known as "Old El Rio." The proposal area is within the City's Sphere of Influence.

The parcels within the Old El Rio area are receiving water and sanitary sewer services from the City of Oxnard. The Cortese-Knox-Hertzberg Act of 2000 and LAFCO policies encourage proposals that eliminate unincorporated islands of territory for planned, orderly, and efficient development.

The City has filed this application under Government Code (G.C.) Sections 56375.3 and 56755 (Island Annexations). G.C. Section 56375(a)(3) states that a Commission shall not have the power to disapprove an annexation to a city of contiguous territory that the commission finds is a reorganization of an unincorporated island that meets the requirements of G.C. Section 56375.3.

For a reorganization to meet the requirements of G.C. Section 56375.3 the proposal must be initiated by resolution of the affected city on or after January 1, 2000 and before January 1, 2007 and must meet the following requirements:

- (1) The "island" cannot exceed 75 acres in area
- (2) The territory constitutes an entire unincorporated island located within the limits of a city
- (3) The area is surrounded or substantially surrounded by the City to which annexation is proposed.
- (4) The area is substantially developed or developing.
- (5) The area is not prime agricultural land.
- (6) The area will benefit from the reorganization or is receiving benefits from the annexing city.

The Old El Rio island is less than 75 acres in size, the territory constitutes an entire unincorporated island located within the limits of the City of Oxnard and is surrounded by the City. The proposal area is substantially developed and the area is already receiving water and sanitary services from the City of Oxnard.

To fulfill the requirements of G.C. Sections 56153, 56154, 56157, and 56755, the City gave notice of the proposed reorganization to all affected property owners and registered voters and all property owners and registered voters within 300 feet of the proposal area. The City has provided evidence to LAFCO that the notice was sent in accordance with the requirements. An additional notice of the LAFCO hearing was published on December 22, 2002.

Therefore, as the proposal meets the requirements of G.C. Section 56375.3 the Commission must approve this reorganization and waive protest hearing proceedings.

**ALTERNATIVE ACTIONS AVAILABLE:**

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue one or both of the proposals should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted with this application wishes to modify this application, a motion to modify should include adoption of this Report and all referenced materials as part of the public record.

STAFF: Hollee King Brunsky, AICP, Planner III

BY: \_\_\_\_\_  
Everett Millais, Executive Officer

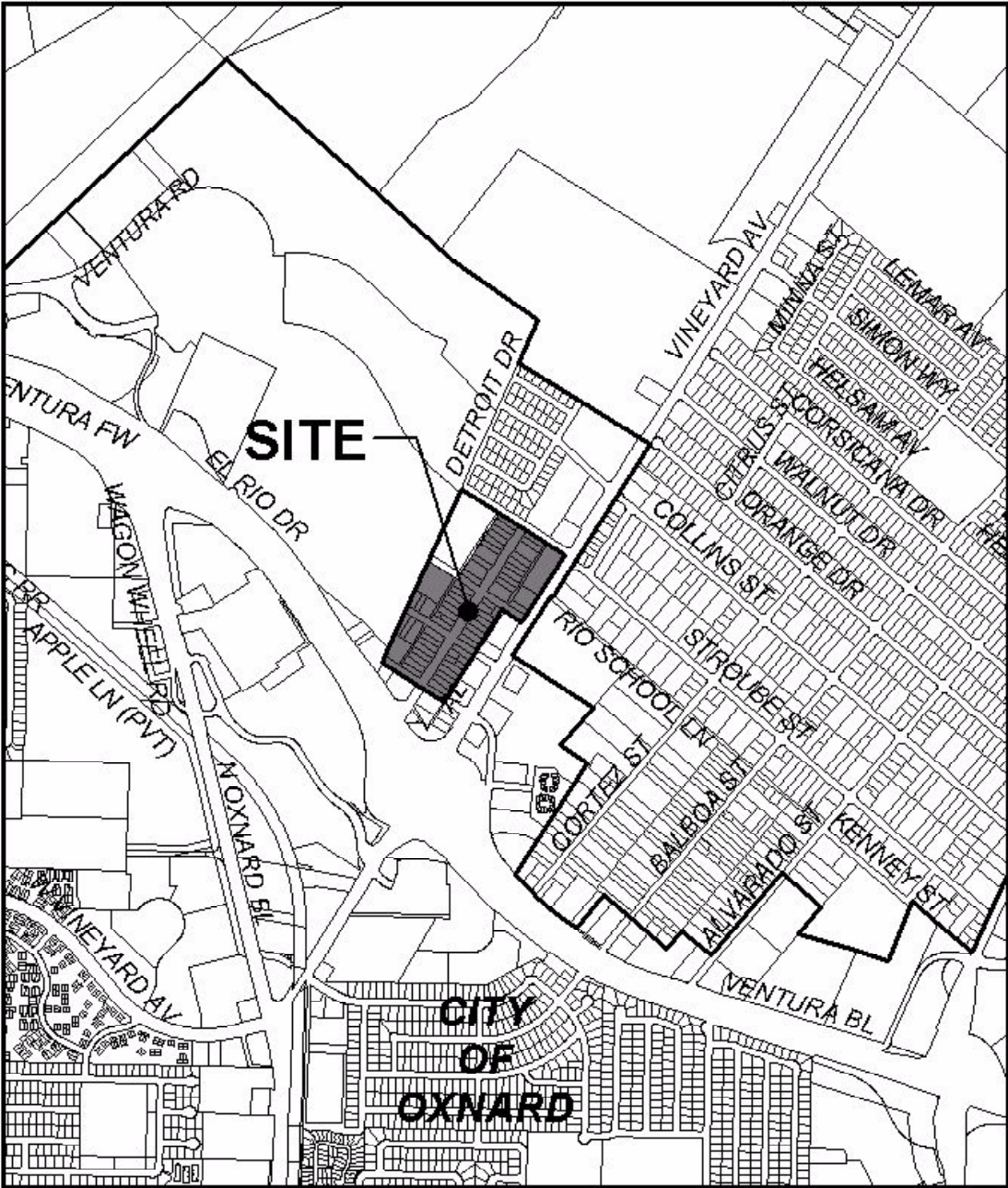
Attachments: (1) Vicinity Map; (2) LAFCO 02-23 Resolution

LAFCO 02-23

City of Oxnard Reorganization - Old El Rio

January 15, 2003

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**LEGEND**

Existing City of Oxnard Boundary

Proposed Annexation Area

**LAFCO 02-23**  
**VICINITY MAP**

CITY OF OXNARD REORGANIZATION  
OLD EL RIO  
CITY OF OXNARD ANNEXATION  
DETACHMENT FROM THE VENTURA COUNTY FIRE  
PROTECTION DISTRICT; DETACHMENT FROM THE  
VENTURA COUNTY RESOURCE CONSERVATION DISTRICT

1"= 1200'

**LAFCO 02-23**

**RESOLUTION OF THE VENTURA LOCAL AGENCY  
FORMATION COMMISSION MAKING DETERMINATIONS  
AND APPROVING THE CITY OF OXNARD  
REORGANIZATION – OLD EL RIO; ANNEXATION TO  
THE CITY OF OXNARD; DETACHMENT FROM THE  
VENTURA COUNTY FIRE PROTECTION DISTRICT;  
DETACHMENT FROM THE VENTURA COUNTY  
RESOURCE CONSERVATION DISTRICT**

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Section 56000 of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration by the Commission on the proposal;

WHEREAS, the proposal was duly considered on January 15, 2003; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCO Executive Officer's Staff Report and recommendation, the environmental document and determination, and applicable General and Specific Plans; and

WHEREAS, the Commission finds that the affected territory is considered inhabited; and

WHEREAS, information satisfactory to the Commission has been presented that all agencies having land detached within the affected territory have given their written consent for the proposal; and

WHEREAS, the proposal area is considered to be an unincorporated island of territory; and

WHEREAS, the Local Agency Formation Commission finds that the proposal meets the requirements of Government Code Section 56375.3 (Island Annexations); and

WHEREAS, Government Code Section 56375(a)(3) states that a Commission shall not have the power to disapprove an annexation to a city of contiguous territory that the commission finds is a reorganization of an unincorporated island that meets the requirements of Government Code Section 56375.3; and



WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission as follows:

- (1) The LAFCO Executive Officer's Staff Report and Recommendation for approval of the proposal dated January 15, 2002 is adopted.
- (2) Said Reorganization as set forth in Exhibit A and attached hereto is hereby approved.
- (3) Said territory is found to be inhabited.
- (4) The subject proposal is assigned the following distinctive short form designation:

**LAFCO 02-23 - CITY OF OXNARD REORGANIZATION – OLD EL RIO**

- (5) The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A attached hereto and made a part hereof.
- (6) The Commission has reviewed and considered the information contained in the Mitigated Negative Declaration and adopts the lead agency's Mitigation Measures and makes a specific determination that the significant issues and proposed Mitigation Measures as adopted by the lead agency adequately address the project [Section 15070 et al].
- (7) The Commission directs staff to file a Notice of Determination in the same manner as a lead agency under Section 15075.
- (8) The Commission determines that the project is in compliance with Government Code Section 56741 as the territory to be annexed is located within one county and is contiguous with the boundaries of the City of Oxnard.
- (9) The Commission waives conducting authority proceedings, as the proposal has met the requirements of Government Code Section 56375.3(a)(1) (Island Annexations).

This resolution was adopted on January 15, 2003.

AYES:

NOES:

ABSTAINS:

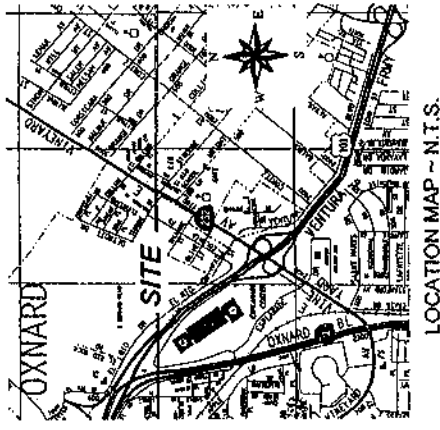
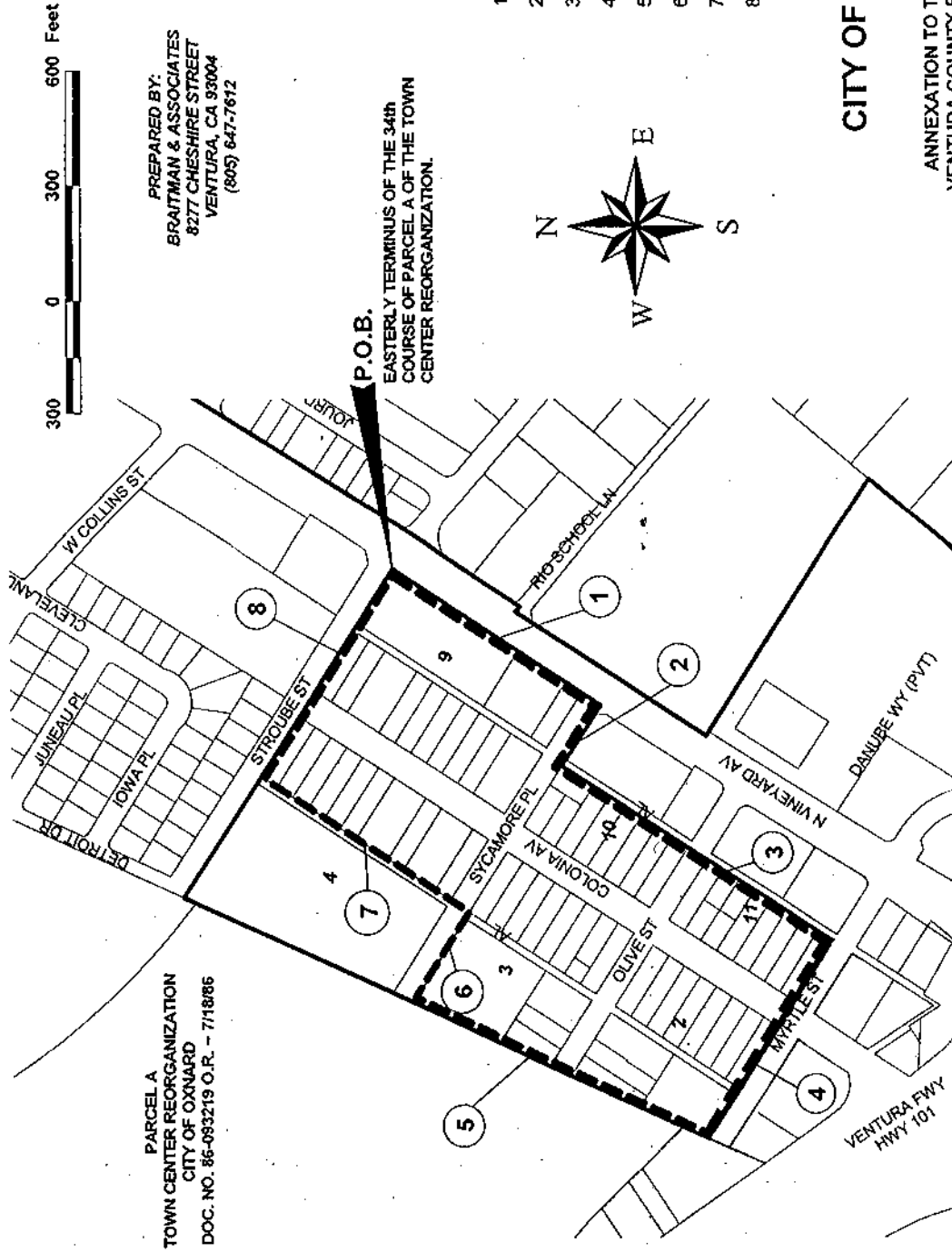
Dated: \_\_\_\_\_

\_\_\_\_\_  
Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A

Copies: City of Oxnard  
Ventura County Fire Protection District  
Ventura County Resource Conservation District  
Ventura County Assessor  
Ventura County Auditor  
Ventura County Surveyor  
Ventura County Planning

02-23



COURSES	
1st - S 31°37'00" W	660.00'
2nd - N 59°07'00" W	210.00'
3rd - S 31°37'00" W	860.00'
4th - N 59°07'00" W	613.85'
5th - N 23°15'00" E	867.62'
6th - S 59°07'00" E	280.11'
7th - N 31°37'00" E	660.00'
8th - S 59°07'00" E	670.00'
	23.52 ACRES

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Joe Paulini*

Date: 1/6/03

## CITY OF OXNARD REORGANIZATION OLD EL RIO

ANNEXATION TO THE CITY OF OXNARD AND DETACHMENT FROM THE VENTURA COUNTY FIRE PROTECTION DISTRICT AND DETACHMENT FROM THE VENTURA COUNTY RESOURCE CONSERVATION DISTRICT ALL OF BLOCKS 2, 3, & 9 AND PORTIONS OF BLOCKS 4, 10 & 11 OF THE TOWN OF COLONIA, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, PER 1A M.R. 14.

EXISTING CITY OF OXNARD BOUNDARY  
PROPOSED ANNEXATION BOUNDARY

**CITY OF OXNARD REORGANIZATION  
OLD EL RIO  
ANNEXATION TO THE CITY OF OXNARD AND  
DETACHMENT FROM THE VENTURA COUNTY  
FIRE PROTECTION DISTRICT AND DETACHMENT  
FROM THE VENTURA COUNTY RESOURCE  
CONSERVATION DISTRICT**

02-23

All of Blocks 2, 3 and 9 and portions of Blocks 4, 10 and 11, of the Town of Colonia, in the County of Ventura, State of California, as said Blocks are shown on the map recorded in the office of the County Recorder of said County in Book 1A, Page 14 of Miscellaneous Records, described as follows:

Beginning at the most easterly corner of said Block 9, said corner also being the easterly terminus of the 34<sup>th</sup> course of Parcel A of the Town Center Reorganization to the City of Oxnard, as described and shown in the Certificate of Completion recorded in the office of said County Recorder on July 18, 1986 as Document No. 86-093219 of Official Records; thence, along the existing City of Oxnard Boundary by the following five courses:

- 1st - South 31°37'00" West 660.00 feet; thence,
- 2nd - North 59°07'00" West 210.00 feet; thence,
- 3rd - South 31°37'00" West 860.00 feet; thence,
- 4th - North 59°07'00" West 613.85 feet; thence,
- 5th - North 23°15'00" East 867.62 feet to the southwesterly line of Sycamore Street, 60.00 feet wide; thence, along said southwesterly line,
- 6th - South 59°07'00" East 280.11 feet to the southwesterly prolongation of the southeasterly line of the Alley, 20.00 feet wide, as shown on the map of said Block 4 of said Town of Colonia; thence, along said prolongation and southeasterly line,
- 7th - North 31°37'00" East 660.00 feet to the southwesterly line of Stroube Street, 60.00 feet wide, same also being the existing boundary of said City of Oxnard; thence, along said southwesterly line and existing city boundary,
- 8th - South 59°07'00" East 670.00 feet to the point of beginning and containing 23.52 acres.